

PATENT

Application Serial No. 09/501,017  
Amendment dated: December 1, 2003  
Reply to Office Action of August 29, 2003  
Docket No. 1232-4612

**REMARKS**

Applicant respectfully requests reconsideration of this application in view of the foregoing amendment and following remarks.

**Objection**

The specification has been objected to because of informalities. The Examiner indicates that the title of the invention is not descriptive. The title of the invention has been amended to read "Image Processing Apparatus having a Saturation Correction Unit."

The Examiner also indicated that the words "sensing drive" should be "sensing device" at page 5, line 10 of the specification. The relevant portion of the specification has been amended as shown above according to the Examiner's suggestion.

Applicant respectfully requests that these objections be withdrawn.

**Status of the Claims**

Claims 1-12 are pending in this application. Claims 1, 5 and 9 are independent. All of the pending claims have been rejected either under 35 U.S.C. §102(b) or §103(a). By this Amendment, claims 1-3, 5-7, 9 and 11 have been amended and new claims 13-15 have been added. No new matter has been added by this Amendment.

**Rejection under 35 U.S.C. §102**

In paragraph four (4) of the Office Action, claims 1, 3-5, 7 and 8 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,754,323 to Kaji et al. ("Kaji").

The claims are characterized by detection of a high-luminance portion that exceeds a predetermined value, generation of a control signal that has a prescribed waveform that is defined

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in such a way that a suppression is reduced from the sensed high-luminance portion toward a periphery of the detected high-luminance portion, and a suppression that is carried out on the basis of the control signal.

On the contrary, Kaji merely discloses that a gain is dropped on the basis of a brightness level, and does not disclose or suggest the above features of the claims.

Accordingly, Applicant believes that each of independent claims 1 and 5 is neither anticipated by nor rendered obvious in view of Kaji for at least the reasons discussed above.

Reconsideration and withdrawal of the rejections of claims 1 and 5 under 35 U.S.C. §102(b) is respectfully requested.

**Rejection under 35 U.S.C. §103**

In paragraph twelve (12) of the Office Action, claims 9, 11 and 12 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Kaji.

As discussed above, Applicant respectfully asserts that Kaji fails to show or suggest at least the recited features of claim 9 as amended. Accordingly, claim 9 is neither anticipated by nor rendered obvious in view of Kaji for at least the same reasons discussed above for claims 1 and 5.

Reconsideration and withdrawal of the rejection of independent claim 9 under 35 U.S.C. §103(a) is respectfully requested.

Applicant has not individually addressed the rejections of the dependent claims because the independent claims from which they respectively depend are in condition for allowance as set

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forth above. Applicant reserves the right to address such rejections of the dependent claims  
should it become necessary.

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**AUTHORIZATION**

No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicant hereby petitions the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 13-4500 (Order No. 1232-4612). **A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.**

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,  
MORGAN & FINNEGAN LLP

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By: richard w. erwine  
Richard W. Erwine  
Registration No. 41,737

CORRESPONDENCE ADDRESS:  
MORGAN & FINNEGAN L.L.P.  
345 Park Avenue  
New York, New York 10154  
(212) 758-4800